

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH C. FINLEY, et al.,
Plaintiffs,

v.

JAMES TAKISAKI, et al.,
Defendants.

CASE NO. C05-1118JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable
James L. Robart:

By minute order dated October 26, 2005 (Dkt. # 9), the court dismissed this action
for failure to comply with the court's September 28, 2005 order to show cause (Dkt. # 3).
Plaintiffs have now filed two identical motions to vacate (Dkt. ## 12, 13) the October 26
order. Plaintiffs explain that they inadvertently failed to see the electronic notice of the
September 28 minute order. Curiously, they offer no explanation for why they waited
over a month after their action was dismissed to move for relief. The court finds little

1 justification for these compound oversights. Only the court's strong preference to decide
2 actions on their merits leads it to re-open this action.
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4 The clerk is directed to re-open this action. The clerk shall also strike Plaintiffs'
5 motions (Dkt. ## 12, 13), as this order renders them moot. As it appears that Plaintiffs
6 have now served all defendants, the parties shall file a joint status report no later than
7 December 16, 2005.
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9 Filed and entered this 1st day of December, 2005.
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11 BRUCE RIFKIN, Clerk

12 s/Mary Duett

13 By

14 Deputy Clerk
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